

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

HOMESITE INSURANCE COMPANY OF
THE MIDWEST, a Wisconsin Corporation,

Plaintiff,

v.

ROBERT HOWELL, JR., a single individual;
ROBIN HOWELL and ROBERT HOWELL,
SR., a married couple; and SIERRA PACIFIC
LAND & TIMBER COMPANY, a California
corporation,

Defendants.

No. 2:21-cv-01389 JHC

ORDER ON DEFENDANTS ROBIN
HOWELL AND ROBERT HOWELL
JR.'S CONSOLIDATED MOTIONS
IN LIMINE

THIS MATTER comes before this Court on Defendant Robin Howell and Robert Howell Jr.'s Consolidated Motions *In Limine*. Dkt. # 157. The Court has considered the motion and all materials submitted in connection with the motions, including materials submitted in response. The Court ORDERS as follows:

1. **Statement of Probable Testimony:**

Reserved. The Court expects the parties to comply with Federal Rules of Evidence 801 and 802.

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2. **Prior Testimony of Available Witnesses:**

Reserved. The Court expects the parties to comply with Federal Rules of Evidence 801 and 802.

3. **Failure to Call a Witness:**

Granted. This ruling is reciprocal.

4. **Scope of Rebuttal/Closing:**

Granted. This ruling is reciprocal.

5. **Best Evidence:**

Granted.

6. **Settlement Offers:**

Granted. The Court reserves on the question of the Howells “opening the door.”

7. **Exclusion of Non-Party Witnesses:**

Granted.

8. **Advance Notice of Witness Order:**

Granted as to witnesses; denied as to the remaining items.

9. **No Amendment of Claims:**

Granted. This ruling is reciprocal.

10. **No Surprise Evidence:**

Granted. This ruling is reciprocal.

11. **Robert Howell Jr.’s Unrelated Criminal Charges:**

Reserved in light of Federal Rule of Evidence 609(a)(1). Before making any reference to any such evidence, Homesite shall alert the Court outside the presence of the jury, so that the Court may resolve any objection.

12. **References to Robin Howell’s Application for Insurance:**

Reserved.

13. **References to Misrepresentation or Concealment of Information:**

Denied.

14. **References to Two Separate Properties:**

Denied.

15. **References to the Location of the “Insured Premises”:**

Denied.

16. **Irrelevant, Undated, and Unauthenticated Exhibits:**

Reserved.

17. **Expert Testimony:**

Denied. This is an untimely motion challenging expert witness testimony. *See* Dkt. # 110; *Mooney v. Roller Bearing Co. of Am., Inc.*, 601 F. Supp. 3d 881, 887 (W.D. Wash. 2022) (declining to consider untimely *Daubert* arguments); *Gill v. Magan*, 2021 WL 1589521, at *1 (W.D. Wash. Apr. 23, 2021) (same); *Pacheco v. United States*, 2020 WL 3050143, at *1 (W.D. Wash. June 8, 2020) (same).

18. **Apology or Remorse:**

Granted.

19. **Providing the Howells with a Defense:**

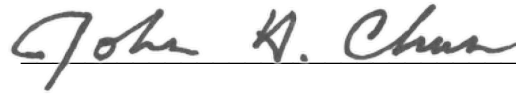
Reserved.

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DATED THIS 27th day of May, 2025.

A handwritten signature in black ink, reading "John H. Chun", written over a horizontal line.

John H. Chun
United States District Judge